

PG3602USW

Inasmuch as there is no rejection in the Advisory Action for claims 10 and 17, Applicants assume that these claims remain allowed and that the Examiner's failure to indicate the allowed status of these claims is in error.

Claim 25 is directed toward a method for the prophylaxis or treatment of a human subject suffering from an inflammatory disorder and depends from claim 1. No grounds for rejection of claim 25 appears on the record. Claim 25 was not withdrawn. Given that allowed claim 14 is directed toward the same method in an animal subject and allowed claim 29 is directed toward method for the prophylaxis or treatment of a human subject suffering from arthritis, it is respectfully submitted the claim 25 should have been allowed. Applicants acknowledge with appreciation Examiner Rotman's indication during the 8 July 2003 interview that claim 25 is allowable.

The Advisory Action indicates that the response filed 25 February 2003 overcomes the section 112, first paragraph rejection of method claims 26 and 27.<sup>1</sup> The section 112, first paragraph rejection of claims 26-27 was the only remaining rejection of claims 26-27 in the Final Office Action. Accordingly, in light of the indication that the only grounds for rejection of claims 26-27 has been overcome by the response filed 25 February 2003, Applicants respectfully submit that the Examiner's failure to indicate in the Advisory Action that claims 26-27 are allowed was in error. Examiner Rotman's confirmation during the 8 July 2003 interview that method claims 26-27 are allowable is acknowledged with appreciation.

The Advisory Action states that claim 28 remains rejected under section 112, second paragraph for the reasons stated in the Final Rejection. Applicants acknowledge with appreciation Examiner Rotman's indication during the 8 July 2003 interview that the rejection of claim 28 is withdrawn and therefore claim 28 is allowable.

Claims 19-23 and 30-34 were previously withdrawn as directed toward a non-elected species. During the interview with Examiner Rotman of 8 July 2003, it was agreed that process claims 19-23 and method of use claims 30-34 would be re-joined

PG3602USW

pursuant to *In re Ochiai* and *In re Brouwer*, so long as they depend from or otherwise include all limitations of the allowable compound claim. Claims 19-23 and 30-34 all depend directly or indirectly from claim 1 and hence these claims should be rejoined at this time. Applicants acknowledge with appreciation Examiner Rotman's indication that claims 19-23 and 30-34 will be rejoined and are allowable.

In view of the Examiner's indication that the instant supplemental response will place the case in condition for allowance, Applicants will refrain from filing an Appeal Brief in the instant case. Applicants note for the record that the Appeal Brief is due with a 1 month extension of time by 15 July 2003 and that Applicants will allow this date to pass based upon the Examiner's assurances. In view of this outstanding deadline, the prompt mailing of the Notice of Allowance in the case is respectfully requested.

Applicants further request that an initialed copy of the Form PTO-1449 which was mailed on 28 September 2001 be returned with the Notice of Allowance.

The Examiner is encouraged to contact the undersigned at (919) 483-8222, to discuss this case further if desired.

Respectfully submitted,



Lorie Ann Morgan  
Attorney for Applicants  
Registration No. 38,181

Date: 8 July, 2003  
GlaxoSmithKline  
Five Moore Drive, PO Box 13398  
Research Triangle Park  
North Carolina 27709  
(919) 483-8222  
fax: (919) 483-7988